

STREET VACATION

9/18/78

DELANEY BLVD. FROM DEWEY HILL RD. SOUTH

1/1/74

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN ) SS.  
CITY OF EDINA )

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date Aug. 31, 19 78, acting on behalf of said City I deposited in the United States mail copies of the attached Notice of Public Hearing - Street Vacation - Delaney Blvd (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date \_\_\_\_\_ days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 31<sup>st</sup> day of Aug, 19 78.

Lawrence B. Hallberg  
Edina City Clerk

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING  
ON VACATION OF PORTION OF DELANEY BOULEVARD

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on September 18, 1978, at 7:00 p.m. for the purpose of holding a public hearing on the proposed vacation of a portion of Delaney Boulevard, described as follows:

That portion of Delaney Boulevard from Dewey Hill Road to 800' South

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation; to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed street vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

August 31, 1978

Mailing List - Notice of Public Hearing  
Vacation of N. 800' of Delaney Blvd.

Sept 11, 1978

Dec 8, T116, R 21 (S 1/2)

55435

Parcel 05805  
" 1352

E. A. Nieland  
Barren  
Jack Barren  
Hester Green

7201 Shannon Dr.  
Barren & Assoc. Inc.  
7001 E. Bloomington  
7440 Cahill Rd

Lyle Buchanan Addr

Bl. L. 1 Dr. M. Robert Edelson.

7400 Coventry Wa

2 John M. McFaul

7404

3 Steven R. Isaacson

7408

4 Thomas H. Thompson, III

7412

5 Jon R. Lineweaver

7416

6 James H. Mc Guire

7324

7 } L.W. + C.E. Lindquist

7324

8 }

9 Lyle F. Buchanan  
P.C. Buchanan

(55436)

3511 W. Highway

7419 Coventry Way

10 Jerome J. Bock

7415 Coventry W.

11 Asper Development Co.  
Arnold C. Foote

7400 Metro Blvd

7411 Coventry

12 Jeffrey Gustafson

7409 Coventry

P 2 of 4

- 12 Garfield Lomas 7409 Coventry Way  
13 L.C. & R.R. Shedeman 7407 Coventry Way  
14 Lyle Buchanan (Asper Dev. See above

15  
16  
17  
18

Outlot A City of Edina

Imrich Adon

- Bl 1 L 1 Windward Manor  
Enterprise Properties  
6700 Excelsior Blvd. 55426  
Bl 2 L 1 Eleanor Swenson  
Eleanor Pliska  
7604 Delaney Blvd 55426  
2 Edina 55435  
3

Outlot A - City of Edina  
B - " " "

Heath Glen Addition

Outlet 1 - Orion Johnson 5548 W. 78th St

Be 1 L 6 Myrna Blocke 7721 Glasgow

7 Carl E. Weig 5600 W. 78th

1 R. E. Clark 7701 Glasgow Dr.

2 Dominic Sciala 7705

3 Jeffrey L. Kalnke 7709

4 Curtis L. Workman 7713

5 D. K. Younggren 7717

Be 2 L 1 Carl J. Micks 7700

2 ~~A. E. Sven Olson~~

Sven Olsson 7708

3 D. R. Kivisto 7712

4 John D. Mash 7716

5 Thomas L. Lampert 7724

N.S. P

Minnegasco

N.W. Beel

R. Laurence  
~~Laurence~~ Johnson 7105 Lanken Ln

Robert J. O'Connor 7101 Lanken Ln

{ Harry Laukka  
Laukka & Assoc, Inc  
7101 York 55435

Melvin Gittleman  
Gittleman Corp.  
7900 Xerxes Ave So. 55431

## Smisek Addn

B1 L1 - Windwood Condos?

B2 L1 }  
2 }  
3 }

Outlet A city  
" B city

## Heath Blends

Outlet 1 (Orin Johnsons)

B1 L7  
6

(700) Sec. 8 T116 R21

→ Jack Baron

## Glasgow Rd

Delaney Blvd 2 D H Rd E 800' South

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN ) SS  
CITY OF EDINA )

AFFIDAVIT OF POSTING NOTICE OF HEARING  
ON STREET VACATION

Vacation of that portion of Delaney Boulevard from Dewey Hill Road to  
800' South

The undersigned, being first duly sworn, upon oath deposes and says that he is a duly appointed and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on August 25, 1978 he posted the Notice of Hearing on street vacation above described to be held on September 18, 1978, a true and correct copy of which is hereto attached, at each of the following official City Bulletin Boards located at conspicuous places within the City in a manner likely to attract attention:

One at Edina City Hall, 4801 W. 50th Street  
One at 50th and France Business Area - 3922 W. 50th Street  
One at Amundson Avenue Shopping Center - Northwest corner  
of Parking Lot

Jerry R. Grik - 011  
Police Patrolman

Dated 083178

Subscribed and sworn to before me  
this 31st day of Aug, 1978

Flavencia B. Hallberg  
Notary Public, Hennepin County,  
Minnesota  
My commission expires:

(Notarial Seal)

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING  
ON VACATION OF PORTION OF DELANEY BOULEVARD

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

August 31, 1978

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

August 31, 1978

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by W. J. Johnson 9/12/78 ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

N.S.P. by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

LOCATION DELANEY BLVD FROM DEWEY HILL RD TO 800' SOUTH.

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

GARFIELD E. LOVAAS  
200 S. FIFTH ST., ROOM 2000  
MINNEAPOLIS, MINNESOTA 55402

September 14, 1978

City of Edina  
4801 W. 50th Street  
Edina, MN 55424

ATTENTION: City Manager and City Council

Gentlemen:

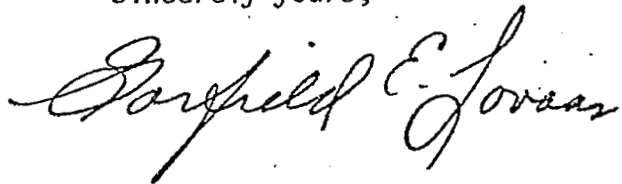
This letter is to inform the City that I represent certain Edina residents who are concerned with the proposed construction of Delaney Boulevard.

This construction involves the following chapters of Minnesota Statutes Annotated: Chapters 105, 116.B, 116.C and 116.D., together with the rules and regulations applicable thereto. In addition, it concerns the rules and regulations of the watershed districts for Nine Mile Creek and Purgatory Creek.

Without limiting the scope of this letter, I would like to know if the City of Edina has filed an Environmental Assessment Worksheet (EAW), which is mandatory under 6 M.C.A.R. 3.024.

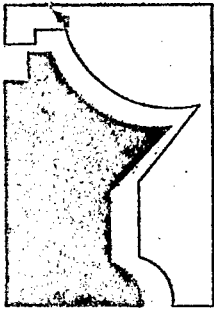
Depending on the outcome of the EAW, which addresses both the environmental impact of the proposal as well as possible alternatives, it is possible that a full Environmental Impact Statement (EIS) will be required by the Environmental Quality Board. Until such time as an EAW has been filed and all other statutory matters have been exhausted it would appear that any hearing pertaining to Delaney Boulevard would be premature and should be continued until such time as all the statutory and regulatory requirements have been complied with.

Sincerely yours,



gel/a

cc: Mary Sullivan  
Administrator of Environmental Quality Board



## Minnesota Environmental Quality Board

100 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
Phone \_\_\_\_\_

September 18, 1978

Gordon Hughes, City Planner  
City of Edina  
4801 West 50th Street  
Edina, Minnesota 55424

RE: Proposed Delaney Blvd.

Dear Mr. Hughes:

On September 15, 1978 you met with Ann Hopkins and Nancy Salustro of our staff concerning a determination on the need for an Environmental Assessment Worksheet (EAW) on the above referenced project. It is our understanding that the proposal includes construction of a local street of approximately 2400 feet in length with a five to seven ton capacity; the easement is 60 feet wide and the pavement is proposed to be 36 feet wide. It would be located one quarter mile west of Cahill Road and would run between Dewey Hill Road and West 78th Street in Edina. According to plans and maps shown to staff, it is apparent that the existing easement is adjacent to a storm water ponding system that was recently constructed by the City of Edina. It is our understanding that filling of those ponds will not be required for construction of the road.

According to Minnesota Rules 6 MCAR § 3.024 B.1.r., An EAW is required for:

"An action that will eliminate or significantly alter a wetland of Type 3, 4, or 5 (as defined in U.S. Department of Interior, Fish and Wildlife Service, Circular 39, "Wetlands of the U.S., 1956) of five or more acres in the seven-county metropolitan area, or of 50 or more acres outside the seven-county metropolitan area, either singly or in a complex of two or more wetlands."

We contacted the Department of Natural Resources (DNR) on September 15, concerning this project's applicability to the above referenced mandatory category. They have determined that this project should not eliminate or significantly alter such a wetland. Therefore, preparation of an EAW is not required. However, the Responsible Agency may submit an optional EAW if they feel that the project has the potential for significant environmental effects.

If you have any questions on DNR's determination, contact Charlotte Cohn at 296-4800. If you have any questions on the environmental review program, contact Nancy Salustro at 296-8255.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Rulland", with a stylized flourish at the end.

Tom Rulland, Manager  
Environmental Management Program

TR:maa

cc: Charlotte Cohn, DNR Division of Waters  
Mary Sullivan, EQB Administrator

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

9/5/78  
NORTHWESTERN BELL by G.T. Loach ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS an existing buried telephone cable, on Delaney Blvd, serves adjacent lots to the west. We desire to maintain this cable.

N.S.P. by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

LOCATION \_\_\_\_\_

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

August 31, 1978

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Florence B. Hallberg  
City Clerk

August 31, 1978

*Bok: 9/5/78*  
*Does DSP have*  
*any interest*  
*D name*

*WE NEED*  
*EASEMENT FOR FUTURE*  
*CABLE ROUTE*  
*R. BECKWITH*  
*WSP.*



SUN NEWSPAPERS  
AFFIDAVIT OF PUBLICATION  
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }  
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Public Hearing on Vacation hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for two successive weeks;

that it was first so published on Wed the 30 day of August, 19 78

and was thereafter printed and published on every Wednesday to and including

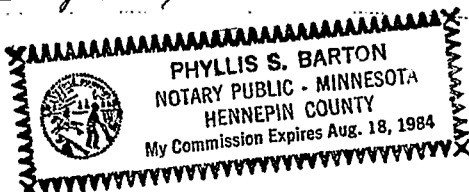
Wed the 6 day of Sept, 19 78 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 6 day of September, 19 78

Phyllis S. Barton



(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC  
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OF PORTION OF  
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BY ORDER OF THE EDINA CITY  
COUNCIL.  
FLORENCE B. HALLBERG  
City Clerk  
(Aug. 30 & Sept. 6, 1978)—ED



# SUN NEWSPAPERS

## AFFIDAVIT OF PUBLICATION

# EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }  
County of Hennepin } ss.

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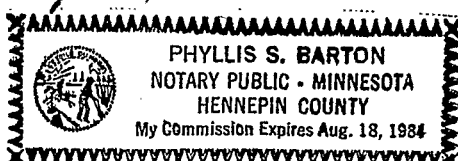
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J. R. Ritchay

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Phyllis S. Barton



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FLORENCE B. HALLBERG  
City Clerk

(Aug. 30 & Sept. 6, 1978)—ED

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Florence B. Hallberg  
City Clerk

Please publish in the Edina Sun on August 30 and September 6, 1978.  
Please send us one Affidavit of Publication.  
Please send us one clipping.

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING  
ON VACATION OF PORTION OF DELANEY BOULEVARD

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on September 18, 1978, at 7:00 p.m. for the purpose of holding a public hearing on the proposed vacation of a portion of Delaney Boulevard, described as follows:

That portion of Delaney Boulevard from Dewey Hill Road to 800' South

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation; to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed street vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

August 31, 1978

PETITION TO EDINA CITY COUNCIL  
TO VACATE THE NORTH 800 FEET  
OF DELANEY BOULEVARD

COMES NOW the undersigned petitioners who state  
and allege as follows:

1. They are abutting owners of land on the aforesaid Delaney Boulevard which is being petitioned to be vacated.
2. The represent a majority of said abutting owners.
3. The petition is jurisdictional.
4. This vacation will be in the public interest.
5. The remainder of Delaney Boulevard to the south will remain open.
6. This petition is presented in accordance with §412.851, Minnesota Statutes, 1976 as amended which statute is incorporated by reference and made a part hereof.

WHEREFORE, petitioners request the City Council of Edina to vacate the northern 800 feet of Delaney Boulevard and to adopt the procedures and set the matter for hearing in accordance with the aforesaid §412.851.

NAMES

ADDRESSES

✓ Arnold & Toole single  
Garfield E. Loraas  
Lancey Loraas  
Dodie M. Back  
Joan Back  
P.P. Buchanan  
70 Shind  
Betty R. Shideman

7411 Coventry Way  
7409 Coventry Way  
7409 Coventry Way  
7415 Coventry Way  
7415 Coventry Way  
7419 Coventry Way  
7419 Coventry Way  
7405 Coventry Way  
7405 Coventry Way

Jeff. Shideman